

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

LLOYD A. HALSELL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-10-839-L
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of the Social	)	
Security Administration,	)	
	)	
Defendant.	)	

**ORDER**

On July 20, 2011, Magistrate Judge Robert E. Bacharach entered his Report and Recommendation in this action brought by plaintiff for judicial review of the defendant Commissioner's rejection of plaintiff's application for supplemental security income and insurance benefits based on an alleged disability [Doc. No. 18]. The Magistrate Judge recommended that the court should affirm the findings of the Social Security Administration.

The court file reflects that plaintiff has filed his Objection to the Magistrate Judge's Report and Recommendation, which the court has carefully considered. Upon review of plaintiff's objections, the court finds that they are insufficient to justify overturning the conclusions of the Magistrate Judge, which are well reasoned and supported by the record. The Magistrate Judge properly found that plaintiff's testimony at the hearing adequately reflected his reading disorder. Given the vocational expert's presence at the hearing, the Magistrate Judge

properly found that the VE considered this testimony when she was asked to identify jobs that could be performed by an individual with the plaintiff's level of reading ability. Upon the record presented, the court agrees with Judge Bacharach's assessment that the VE's awareness of plaintiff's reading disorder is fatal to plaintiff's claim. A court may not reweigh the evidence or substitute its judgment for that of the Social Security Administration. Doc. No. 18, p. 2.

The Magistrate Judge properly found that the record provides substantial evidence to support the decision to deny plaintiff's application for supplemental security income and insurance benefits. Thus, upon *de novo* review, the court finds that the Report and Recommendation should be and is hereby adopted in its entirety.

Accordingly, the decision of the Commissioner is **AFFIRMED**.

It is so ordered this 26th day of August, 2011.

  
TIM LEONARD  
United States District Judge